

REMARKS

In the Office Action, claim 15 was rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention. By this response, claim 15 has been amended to address the antecedent basis objection noted by the Examiner, such that the claims are believed to fully comply with the requirements of 35 USC §112, second paragraph.

Claims 1-12 and 16-23 were rejected under 35 USC §102(b) as being anticipated by Pruitt U.S. Patent 5,566,535. Claims 13-15 were rejected under 35 USC §103(a) as being unpatentable over Pruitt.

The claims have been amended in a manner believed to patentably define over the Pruitt reference.

Pruitt discloses a pull-type harvesting machine having a hydraulically controlled header tilt adjustment mechanism that can be operated from the tractor seat of a towing vehicle. A control valve assembly 262 is connected between a header tilt circuit 254 and a tongue swing circuit 256. Control valve assembly 262 is disposed between a swing-and-tilt valve 230 and the header tilt and swing circuits 254, 256, respectively. Control valve assembly 262 is remotely operated by an actuating mechanism 284, which includes an electric switch 286 mounted on a control lever 234 by a mounting bracket 288 (Fig. 4). The actuating mechanism 284 includes an electric circuit 290 in which switch 286 is connected. When the switch 286 is not operated, the valves 272, 274 are in the rightmost position so that the swing-and-tilt valve 230 controls the tongue swing circuit 256 by operation of lever 234. When the operator wishes to control the header tilt circuit 254, the switch 286 is actuated so that solenoids 276, 278 are shifted to the leftmost position. In this manner, the operator may tilt the header 50 by operating the same lever, i.e. lever 234. With this construction, one of the hydraulic circuits is used to alternatively control two different functions of the machine, one of which is header tilt.

Claim 1 is amended to state that the controller, which is disposed in the housing, includes a plurality of inputs, each of which corresponds to one of the functional

assemblies of the windrow merger. Claim 1 is also amended to state that the controller is interconnected through the harness arrangement with each of the functional assemblies of the windrow merger such that each controller input is interconnected with and controls operation of a single one of the functional assemblies of the windrow merger.

The Pruitt reference is not seen to show or suggest the subject matter of amended claim 1.

Initially, it is noted that the Pruitt reference specifically relates to a remote header angle adjustment mechanism for a harvester, which performs an entirely different function than a windrow merger as claimed.

In addition, Pruitt does not disclose a controller having a plurality of inputs, each of which corresponds to one of the functional assemblies of the windrow merger, as claimed. Pruitt also does not disclose that the controller is interconnected through a harness arrangement with each of the functional assemblies of a windrow merger such that each controller input is interconnected with and controls operation of a single one of the functional assemblies of the windrow merger, also as claimed. In direct contrast, the Pruitt reference discloses a switch arrangement that enables two different functions of a harvester to be controlled using the same input lever, which is in direct contrast to the subject matter of the present invention as set forth in amended claim 1.

For the above reasons, amended claim 1 is believed to patentably define over the Pruitt reference. A review of the remaining references of record similarly fails to show or suggest the claimed subject matter, and accordingly claim 1 is believed allowable.

Claims 2-9 depend directly or indirectly from claim 1, and are believed allowable for the above reasons as well as in view of the subject matter of each claim.

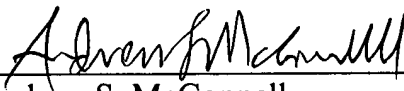
Independent claims 10 and 21 have been amended along generally the same lines as amended claim 1. For the same reasons as noted above with respect to claim 1, it is believed that claims 10 and 21 also patentably define over the Pruitt reference, and are allowable. Claims 11-20 and 24 depend from claim 10, and claims 22-23 and 25 depend

from claim 21. Dependent claims 11-20 and 22-25 are thus also believed allowable for the above reasons, as well as in view of the subject matter of each claim.

Applicant's attorney has made every effort to place the application into condition for allowance with claims 1-25, and such action is earnestly requested.

The Examiner is encouraged to contact the undersigned by phone if questions remain after consideration of this response, or if such would otherwise facilitate prosecution.

Respectfully submitted,

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